

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CLEAR CHANNEL OUTDOOR, LLC,	:	
	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	Case No. 7:20-cv-9296-NSR-AEK (Lead)
CITY OF NEW ROCHELLE;	:	
KATHLEEN GILL, <i>in her official</i>	:	
<i>capacity as Acting Commissioner of</i>	:	
<i>Development;</i> ¹ <i>and PAUL VACCA, in</i>	:	
<i>his official capacity as Building Official,</i>	:	
	:	
<i>Defendants.</i>	:	

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	:	
VECTOR MEDIA, LLC,	:	
	:	
<i>Plaintiff,</i>	:	
	:	
v.	:	
	:	Case No. 7:21-cv-00266-NSR-AEK (Related)
CITY OF NEW ROCHELLE;	:	
KATHLEEN GILL, <i>in her official</i>	:	
<i>capacity as Acting Commissioner of</i>	:	
<i>Development; and PAUL VACCA, in his</i>	:	
<i>official capacity as Building Official,</i>	:	
<i>Defendants.</i>	:	

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AMENDED CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. Non-expert depositions shall be completed by November 1, 2021.

¹ On January 1, 2021, Ms. Gill succeeded Luiz Aragon as Acting Commissioner of Development. Pursuant to Federal Rule of Civil Procedure 25(d), Ms. Gill is automatically substituted as a party.

- a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
 - b. Depositions shall proceed concurrently.
 - c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
2. Any further interrogatories, including expert interrogatories, shall be served no later than September 1, 2021.
3. Requests to Admit, if any, shall be served no later than October 1, 2021.
4. Expert reports shall be served no later than November 4, 2021.
5. Rebuttal expert reports shall be served no later than December 1, 2021.
6. Expert depositions shall be completed by January 7, 2022.
7. Additional provisions agreed upon by counsel are attached hereto and made a part hereof. **See Addendum.**
8. **ALL DISCOVERY SHALL BE COMPLETED BY JANUARY 14, 2022.**
9. Any motions shall be filed in accordance with the Court's Individual Practices.
10. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
11. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
12. The next case management conference is scheduled for June 9, 2021 at 9:30 a.m.

SO ORDERED

Dated: White Plains, New York

Andrew E. Krause, U.S. Magistrate Judge

ADDENDUM

Pursuant to Paragraph 7 of the Civil Case Discovery Plan and Scheduling Order, the Court further orders as follows:

13. The parties agree that this matter should be litigated on an expedited schedule. Extensions of the deadlines set forth in this Order and the deadlines to respond to discovery requests shall not be granted except for good cause shown.

14. The parties agree to electronic service of discovery requests. Federal Rule of Civil Procedure 6(d) shall not apply to requests served electronically.

15. Upon the stipulation of the parties, for the duration of the period while this matter is pending, Defendants shall not require the removal of any billboard faces or structures owned by Plaintiffs, impose fines on Plaintiffs or their associated landlords for the non-removal of such billboard faces or billboard structures, or otherwise interfere with Plaintiffs' use of such billboard faces or structures.

16. Plaintiff Clear Channel Outdoor, LLC's Motion for a Preliminary Injunction and to Compel Compliance with a Court-Approved Stipulation (Dkt. 8) shall be held in abeyance.

17. The parties shall substantially complete production of documents in response to all requests for production of documents on or before September 1, 2021. Documents shall be produced on a rolling basis.

18. Promptly after the service of any party's responses and objections to a request to production, the parties shall exchange proposals for the search terms and custodians to be used to locate ESI responsive to each request. If after meeting and conferring the parties are unable to reach an agreement, the parties shall inform the Court by a joint letter setting forth their separate proposals and requesting a discovery conference.